

MEETINGS TO DATE 12
NO. OF REGULARS 12
NO. OF SPECIALS 0

LANCASTER, NEW YORK
JUNE 19, 1978

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 19th day of June, 1978 at 8:00 P.M. and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
ROBERT W. URBAN, HIGHWAY SUPERINTENDENT

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M., the Town Board held a Public Hearing to hear all interested parties and citizens for or against a proposed amendment to Chapter 46 of the Code of the Town of Lancaster regulating parking at the Town Line Fire Hall.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented this further communication relative to this Public Hearing: Copy of letter and Notice of Hearing sent to Good Time Charlie's whose property is contiguous to area affected by proposed amendment.

PROPOSERS

ADDRESS

Barry Corry, Fire Policeman
Town Line Vol. Fire Dept., Inc.

5849 Broadway
Lancaster, New York

James Myers, Chief
Town Line Vol. Fire Dept., Inc.

6479 Broadway
Lancaster, New York

By a show of hands, 15 other firemen and interested citizens.

OPPOSERS

None

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN
BARNHARDT AND CARRIED, by unanimous voice vote, the Public Hearing was
closed at 8:07 P.M.

The Town Board, at this time, adopted a resolution hereinafter
spread at length in these minutes approving this proposed amendment to the
Vehicle and Traffic Ordinance of the Town of Lancaster.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all
interested parties and citizens for or against the proposed rezone petition
of J. Nicholas Mueller.

Affidavits of Publication and Posting of a Notice of a Public
Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed
Certified Mail, Return Receipt Requested, to the Petitioner and the Erie
County Department of Planning notifying these individuals of the time and
place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the
Erie County Department of Planning wherein the Department acknowledged
"receipt of a Notice of this Public Hearing and commented as follows:

"The Erie County Planning Division supports the recommendation of the Town Planning Board to deny this request at this time."

The Town Clerk presented a letter from Tryon and Schwartz, retained consultants of the Town of Lancaster, to the Planning Board recommending a denial of this proposed rezone.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending a denial of the proposed rezone.

PROPOSERSADDRESS

Nicholas Mueller, Petitioner

9 Kaufman Road
Cheektowaga, NY

George Rammer

5634 Genesee Street
Lancaster, NY

OPPOSERSADDRESS

None

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:30 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter until their next meeting scheduled for July 3, 1978.

OFFICIAL REPORTS:

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Planning Board

May 18, 1978

Youth Bureau

May 18, 1978

Councilman Berent, for the Recreation Committee, presented a copy of a letter from the Recreation Director to the Town Board relative to a parking problem at the newly opened Walden Pond Park.

The Town Clerk was directed to forward a copy of this letter to the Chief of Police with a request for his review and comment.

Councilman Berent, for the Recreation Committee, also requested the Town Clerk to contact American Alarm Services relative to better concealment of the alarm devices at Meadow Lea and Walden Pond Parks.

Councilman Berent, for the Police and Safety Committee, asked the Town Clerk to set up a meeting between representatives of the Lancaster Volunteer Ambulance Corps and Police and Safety Committee of the Town Board for July 17, 1978 at 9:15 P.M. for the purpose of discussing the pros and cons of purchasing an additional modular type ambulance for the Town of Lancaster.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the Minutes of the meeting of the Town Board, held
June 5, 1978, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~dox~~
The resolution was thereupon unanimously adopted.

June 19, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town of Lancaster Ambulance Board, by letter dated
June 9, 1978, has recommended the appointment of a certain individual to the
Town of Lancaster Volunteer Ambulance Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following addition be made to the membership of
the Town of Lancaster Volunteer Ambulance Corps:

ADDITION

Jane A. Stankiewicz
65 Brewster Street
Depew, New York

and,

BE IT FURTHER,

RESOLVED, that the Town Clerk be and hereby is authorized and
directed to take whatever action necessary with the Kansas City Fire and
Marine Insurance Company to provide Workmen's Compensation Insurance to cover
the foregoing new member of the Town of Lancaster Volunteer Ambulance Corps.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

dukyx

The resolution was thereupon unanimously adopted.

June 19, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the Town Board of the Town of Lancaster hereby
amends the adopted 1978 Federal Revenue Sharing Fund Budget as follows:

	<u>General Ledger</u>	<u>Subsidiary Ledger</u>
Increase -		
Appropriated Fund Balance (CF599)	\$24,000.00	
Increase -		
Appropriations (CF960)	24,000.00	
Transfers to Capital Fund (CF9550.0)		\$24,000.00

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~xxx~~
The resolution was thereupon unanimously adopted.

June 19, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, Assembly Bill No. 7509 and Senate Bill No. 7749, permitting municipalities to employ part time executive directors for Youth Boards , has been passed by the Assembly and Senate and is now before the Governor for his action, and

WHEREAS, it is in the public interest of the people of the Town of Lancaster that said legislation be enacted in order to continue the employment of a part-time Executive Director of the Town of Lancaster Youth Board and obviate the need for greater expenditure for full time personnel for such positions,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby memorializes the Governor of the State of New York and urges his signature of Assembly Bill No. 7509 and Senate Bill No. 7749, as being in the best interests of the people of the State of New York, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Governor of the State of New York and to the Town of Lancaster Youth Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~whereby~~

The resolution was thereupon unanimously adopted.

June 19, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by
letter dated June 6, 1978, has requested confirmation of one (1) member
who has been reinstated after a one (1) year leave of absence, to the
Membership of the Bowmansville Volunteer Fire Association, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the following individual in the Bowmansville Volunteer Fire
Association, Inc.:

CONFIRMATION

Mr. Michael Miller
69 Pleasant View Drive
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~duky~~
The resolution was thereupon unanimously adopted.

June 19, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

RESOLVED, that the Highway Superintendent of the Town of Lancaster be
and hereby is authorized to employ the following individuals on a temporary
basis in the service of the Highway Department of the Town of Lancaster
commencing on a date set by the Highway Superintendent of the Town of
Lancaster:

Mr. Keith R. Geblein	97 Bowen Avenue, Lancaster, NY
Mr. Michael Dunnigan	35 Lake Avenue, Lancaster, NY
Mr. Ronald Matthews	26 Christophel Drive, Depew, NY
Mr. Michael Brown	14 Impala Pkwy., Lancaster, NY
Mr. Joel Sartori	5114 William Street, Lancaster, NY
Mr. John J. Rath	25 Maple Avenue, Lancaster, NY
Mr. Daniel Mayer	455 Central Avenue, Lancaster, NY
Mr. Roger A. Roll	147 So. Irwinwood Road, Lancaster, NY
Mr. Mark C. Anthony	34 Parkdale Drive, Lancaster, NY

and

BE IT FURTHER

RESOLVED, that the salaries for these employees shall be as set forth
in the Schedule of Salaries of the Highway Department of the Town of Lancaster
for the year 1978.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

June 19, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, a Public Hearing was held on the 19th day of June, 1978,
for the purpose of amendment of Chapter 46, Vehicle and Traffic Ordinance of
the Code of the Town of Lancaster , and persons for and against such amendment
have had an opportunity to be heard, and

WHEREAS, Notice of said Public Hearing was duly published and
posted,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of
the Town of Lancaster, be amended as proposed, and

2. That said amendment be added in the minutes of the meeting of
the Town Board of the Town of Lancaster held on the 19th day of June, 1978,
and

3. That a certified copy thereof be published in the Lancaster
Enterprise-Journal on June 22, 1978, and

4. That a certified copy of this amendment be posted on the Town
Bulletin Board, and

5. That affidavits of publication and posting be filed with the
Town Clerk.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

June 19, 1978

LEGAL NOTICE
NOTICE OF ADOPTION
OF
AMENDMENT TO
VEHICLE AND TRAFFIC ORDINANCE
OF
THE TOWN OF LANCASTER
COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, State of New York, designated Chapter 46 of the Code of the Town of Lancaster, is hereby amended as follows:

ARTICLE XX - Traffic Regulations at parking areas and driveways of hospitals, shopping centers, private apartment complexes and fire stations; private condominium complex

§46-29 A. The following traffic regulations are hereby enacted to control traffic upon the premises of Town Line Volunteer Fire Department, on the south side of Broadway, west of Town Line Road in the Town of Lancaster:

1. The stopping, standing or parking of vehicles by unauthorized persons upon the property of the Town Line Volunteer Fire Department, is hereby prohibited.
2. The Police Department of the Town of Lancaster is hereby authorized to impound, remove, and store vehicles violating this Article in the same manner as set forth in Article XII of the Vehicle and Traffic Ordinance of the Town of Lancaster, designated "Chapter 46 of the Code of the Town of Lancaster."
3. Cost of sign or signs and erection thereof, notifying the general public of the prohibition against stopping, standing or parking of vehicles on the private property of Town Line Volunteer Fire Department, shall be borne by the fire department.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Twin District Volunteer Fire Co., Inc., by letter
dated June 13, 1978, has requested confirmation of one (1) new member duly
elected to the Membership of the Twin District Volunteer Fire Co., Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
confirms the membership of the following individual in the Twin District
Volunteer Fire Co., Inc.:

Richard C. Hollfelder
631 Aurora Street
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

June 19, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ TO WIT;

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 6633 to 6688 Incl.	\$82,606.46
Special District Funds	No. 311 to 313 Incl.	\$ 9,939.54
Part Town Funds	No. 561 to 565 Incl.	\$45,595.11
Highway Funds	No. 1932 to 1959 Incl.	\$18,501.89
Trust & Agency Funds	No. 259 to 260 Incl.	\$ 337.50
Federal Revenue Sharing	No. 1103 to 1118 Incl.	\$ 5,945.51
Capital Fund	No. 332 to 334 Incl.	\$ 5,062.25
CETA Project No. 641	No. 15 to 17 Incl.	\$ 253.40
CETA Project No. 645	No. 20 to 21 Incl.	\$ 601.78

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~duly~~
The resolution was thereupon unanimously adopted.

June 19, 1978

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER, TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
80	Donald Male	589 Pleasant View	ER. ABOVE GROUND POOL AND DECK
81	Herbert Moessinger	764 Town Line	DEM., ER. SHED
82	Lawrence Wanat	17 Idlebrook	ER. ABOVE GROUND POOL
83	Marrano Enter.	10 Robinwood Ct.	ER. FR. BRK. VEN. FRONT SIN. DWLG, PVT. GARAGE
84	Marrano Enter.	46 Deerpath Dr.	ER. FR. BRK. VEN. FRONT SIN. DWLG, PVT. GARAGE
85	Marrano Enter.	45 Deerpath Dr.	ER. FR. BRK. VEN. FRONT SIN. DWLG, PVT. GARAGE
86	Alden Equities Ltd.	4891 William St.	ER. FR. BRK. SIN. DWLG
87	Contractors Materials	4377 Walden Ave.	ER. SIGN
88	Marrano Enter.	14 Pheasant Run La.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
89	Marrano Enter.	26 Pheasant Run La.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
90	Marrano Enter.	5 Robinwood Ct.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
91	David Mingel	140 Wendel	DEM. FR. SIN. DWLG

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

The resolution was thereupon unanimously adopted.

June 19, 1978

Councilman Barnhardt requested a suspension of the necessary rule for immediate consideration of the following resolution:-

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held public hearings on December 5, 1977 and December 19, 1977, regarding the use of Federal Community Development Funds in the Town of Lancaster for its fourth-year grant under Title I of the Housing and Community Development Act of 1974, and

WHEREAS, an in depth study undertaken by the Town of Lancaster has indicated a pressing need for community development expenditures for water lines on Transit Boulevard and Storer Avenue and Wendell Avenue, and also drainage improvements on Harris Hill Road, and

WHEREAS, in order to amend the 1978 Community Development Application of the Town of Lancaster, it will be necessary to hold a public hearing with regard to the pressing community development needs as set forth above,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- 1) That a public hearing to provide an opportunity for citizens to express community development and housing needs and discuss the amendment of the 1978 Community Development Application to accommodate the most pressing needs as determined by further study, survey and investigation by the Town of Lancaster, particularly the projects which would most benefit low and moderate income persons in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 17th day of July, 1978, at 8:00 o'clock p.m. Local Time, and that notice of the time and place of such hearing shall be published in the Lancaster Enterprise-Journal on July 6th and posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
NOTICE OF PUBLIC HEARING

Notice to the Citizens of the Town of Lancaster.

A Public Hearing will be held on July 17, 1978 at 8:00 o'clock P.M., Local time, at the Town Hall, 21 Central Avenue, Lancaster, New York, regarding the amendment of the Town of Lancaster's 1978 Community Development Application for the use of Federal Community Development Funds in the Town of Lancaster for its 1978 fourth-year grant.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and discuss the amendment of the 1978 Community Development Application for funding of water lines on Transit Boulevard, Wendell Avenue and Storer Avenue, and also to construct and improve drainage works in the area along Harris Hill Road between Pleasant View Drive and Ellicott Creek, and to determine whether such projects would benefit low and moderate income persons in the Town of Lancaster.

All Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Lancaster's selection of projects to be funded by the Federal Community Development Grant Program.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: STANLEY JAY KEYSA
Supervisor

June 19, 1978

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

June 19, 1978

Councilman Barnhardt requested a suspension of the necessary rule
for immediate consideration of the following resolution -
SUSPENSION GRANTED.

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, by Agreement made the 25th day of March, 1974, the County of Erie, the Town of Tonawanda, and the Town of Cheektowaga entered into a Consortium Agreement for the purpose of qualifying and applying for, and if received, the carrying out of the terms of grants from the Department of Labor of the United States Government under the Comprehensive Employment and Training Act of 1973, (P.L. 93-203) hereinafter referred to as the ACT, and

WHEREAS, under the terms of said Consortium Agreement the Office of Employment and Training Services of the County of Erie is the administrative office for the programs under such grants, and the Comptroller of the County of Erie is the fiscal agent for the Prime Sponsor, and

WHEREAS, Title VI of the Comprehensive Employment and Training ACT of 1973 has been amended by the Emergency Jobs Programs Extension Act of 1976 to provide a PROJECTS PROGRAM, and

WHEREAS, the Prime Sponsor has received a Grant for the establishment and operation of a Projects Program, Contract 36-7005-60, under the Act for the implementation and operation of Projects Programs in the geographical area of Erie County outside of the City of Buffalo, and

WHEREAS, the Town of Lancaster, as Project Operator, desires to participate in said program as Project Operator for the Prime Sponsor, and is qualified and has facilities and personnel to participate in such Project Operator, and

WHEREAS, the Prime Sponsor desires to utilize the Town of Lancaster, as Project Operator, to perform the Employment and Training Services under Project No. 642, to perform the following goals of this project on behalf of the Town of Lancaster Highway Department:

PROJECT DESCRIPTION

The goal of this project is to clean up and clear out approximately 15 miles of town streams and drainage ditches. The specific tasks in this project would include the following:

- a) Removing debris, overgrowth and silt deposits from the following town drainage ditches: (also refer to map on next page for specific location)
 - 1) town ditches (located by the following coordinates) B-4 (2 mi.), B-5 (1 mi.), D-2 (1 mi.), D-4.4 (1 mi.), C-4 (1 mi.), A-2 (1 mi.), C-6 between Schwartz and Erie (1 mi.) and unnumbered drainage ditches north of Bradley Drive (1 mi.)
- b) General snag clearance and cleaning of the following town streams:
 - 1) Cayuga Creek (2 mi.) from Town Line Road to Schwartz Road.
 - 2) Ellicott Creek (2 mi.) from Town Line Road to Harris Hill Road.
 - 3) Scajaquada Creek (2 mi.) from east of Stony Road to Depew Village Line.
- c) General cleaning and/or repair of equipment related to the project when weather does not permit outside scheduled work.
- d) Assistance with emergency pumping in any of the previously designated areas listed in (a) or (b).

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby accepts the said project, designated Employment and Training Project No. 642, and hereby directs the Supervisor to execute the said agreement on behalf of the said Town of Lancaster and to take such other and further action as shall be necessary in furtherance of said project.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYS	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

June 19, 1978

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT, TO WIT:

WHEREAS, the Assembly of the State of New York, on Thursday, June 8, 1978, passed and sent to the Senate of the State of New York, Assembly Bill No. 8987, and Assembly Bill No. 12945, and

WHEREAS, these Bills, if enacted into law, would dangerously weaken the enforcability of the Taylor Law of the State of New York to the detriment of all municipalities and governing bodies,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby opposes the enactment into law of Assembly Bill No. 8987 (Senate Companion No. 6859), and Assembly Bill No. 12945 (Senate Companion No. 10166), and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby directed to forward a certified copy of this resolution to Senator Dale Volker and the Secretary of the New York Senate, urging them to oppose the enactment of the legislation referenced herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

June 19, 1978

1. Preferential Rights, Erie Lackawanna R.R.
By letter dated April 13, 1978, the Supervisor provided the Town Board with a summary of concerns regarding the D.L. & W. right-of-way with a copy of the letter directed to Mayor Lyon, Supervisor Donnelly, Mr. Evans, Sales Manager for D.L. & W., the N.Y.S. Dept. of Transportation, and the Erie County Planning Dept.
2. Public Dedication of Townedge Water Lines
On March 13, 1978, the Erie County Water Authority gave approval for a meter pit for the interconnection between Countryside and Townedge.
3. Public Improvement Permit Authorization, Lancaster Industrial Park
On September 6, 1977, the Town Board approved Public Improvement Permit Nos. 41 and 42 for storm sewer, pavement and curbs. On June 5, 1978, the Town Board approved Public Improvement Permit No. 53 for water line.
4. Phase II, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
On September 6, 1977, the Town Board approved Public Improvement Permit Nos. 43 and 44 for Phase II; water, storm drain, pavement and curbing. On February 28, 1978, the Town Board approved a letter of credit as security for the installation of these improvements.
5. Phase III, Pleasant Meadow Subdivision, Public Improvement Permit Authorization
On March 20, 1978, the Town Board approved Public Improvement Permit No. 50 for Phase II water lines. On May 1, 1978, the Town Board approved Public Improvement Permit No. 51 for Phase III storm drain and Public Improvement Permit No. 52 for Phase III pavement and curbs.
6. Rezone Petition, Guenter H. and Eva G. Burkhardt
On April 3, 1978, the Town Board held an adjourned public hearing on this proposed rezone and again, at the request of the attorney for the petitioner, adjourned this hearing to August 7, 1978 at 8:00 P.M.
7. Subdivision Filing, Josela Enterprises, Countryside Subdivision
On March 20, 1978, the Town Board approved this subdivision and authorized the Town Attorney, with a representative of the developer, to file this subdivision map.
8. Subdivision Filing, Woodyview Estates Subdivision
On February 27, 1978, the Town Board approved this subdivision and authorized filing of the subdivision map under conditions by the Town Attorney.
9. Alarm Security, Town Buildings
At the Town Board meeting of May 1, 1978, the Town Board accepted the revised proposals of American Alarm Services which were contained in their letter to the Town Board dated March 15, 1978.
10. Extensio Walden Avenue Sewer Facilities, East of Terminus of Sewer District No. 4 Line
At the Town Board meeting of April 3, 1978, Councilman Barnhardt presented to the Town Board a preliminary cost projection for this project.

11. Parking Regulations on Private Property and Within Private Subdivisions
On June 19, 1978, the Town Board held a Public Hearing on this matter and adopted a resolution amending the Vehicle and Traffic Ordinance to provide for private parking regulations at the Town Line Fire Hall. The Town Clerk was directed to remove this item from future agendas of the Town Board.
12. Rezone Petition, J. Nicholas Mueller
On June 19, 1978, the Town Board held a Public Hearing on this matter and reserved decision.
13. Subdivision Approval, Country View East
On May 1, 1978, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
14. Speed Evaluation Survey, Simme Road
On May 1, 1978, the Town Board adopted a resolution requesting a speed evaluation survey from the N.Y.S. Dept. of Transportation.
15. Rezone Petition, Dennis Casillo
On June 5, 1978, this petition was presented to the Town Board and referred to the Planning Board for review and report.

PERSONS DESIRING TO ADDRESS TOWN BOARD

The following persons spoke at great length with the Town Board relative to the present operation of the Wehrle Drive-In Theater at the corner of Wehrle Drive and Transit Road, within the Town of Lancaster.

Donna Reese
2659 Wehrle Drive

James Likoudis
71 N. Ellicott, Wmsv

Allen Metzinger
2673 Wehrle Drive

Lillian Tepley
7 Cranburne La., Wmsv

Geraldine Casey
2663 Wehrle Drive

Diane Galuski
2105 Maple Dr., Wmsv.

Gladys Reese
2661 Wehrle Drive

Fred Alderman
8180 Wehrle, Clarence

The main concern of the persons speaking to the Board were:

- a) the immoral type of movies being shown on a screen that is visible to neighbors and to the persons using the public street known as Wehrle Drive.
- b) The change in the character of the operation of the theater from a community entertainment facility to a all-night type entertainment facility advertising and attracting a young rock folk type of clientele.
- c) Noise and personal trespass experienced by the near-by area residents

The Supervisor presented a report dated June 19, 1978 from the Town Attorney to the Town Board wherein the Attorney outlined the legislative perimeters of the Town Board in the matter of regulating the Wehrle Drive-In Theater.

PERSONS DESIRING TO ADDRESS TOWN BOARD CONT'D.:

The Attorney indicated that he has set a conference with the operators of the theater and their attorney, along with the Supervisor, the Deputy Town Attorney, and a representative of the Police Department for 11:00 A.M. on Tuesday, June 20, 1978 for the purpose of discussing the problems and complaints relative to the operation of the Wehrle Drive-In Theater and seeking some voluntary solutions to these problems.

Mrs. Judy Flury, representing the Lancaster Depew Community Theatre spoke with the Town Board relative to rental and use of an unused building at the Lancaster Town Center by.

The Supervisor informed Mrs. Flury that the Town Board did discuss the use of this building by the Community Theatre and has authorized the Town Attorney to negotiate with Mrs. Flury for the purpose of arriving at a fair rental of this facility.

Mrs. Flury was instructed to contact the Town Attorney and set up an appointment for the purpose of discussing the provisions of a lease for this building.

COMMUNICATIONS:

- | | |
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| 439. Sec'y, LVAC to Town Board -
Request installation of extension phone in Ambulance Garage. | <u>Police & Safety Comm</u>
<u>Ambulance Board</u> |
| 440. Supervisor to Leg. Marylou Rath -
Comments regarding Erie County Preservation Board. | <u>R & F</u> |
| 441. Act. Sec'y, Planning Board to Town Board -
Minutes of meeting held 5/18/78. | <u>R & F</u> |
| 442. Att. James I. Myers to Town Attorney -
Request either adjournment of Guenter H. Burkhardt rezone and/or refer directly to the Planning Board. | <u>Planning Board</u> |
| 443. Town Attorney to Supervisor -
Transmittal of article from <u>Canandaigua Messenger</u> dated 6/2/78 relating to benefits due CETA workers. | <u>R & F</u> |
| 444. Chair., Independence Day Committee to Town Board -
Invitation to attend Fourth of July activities. | <u>R & F</u> |
| 445. Tryon and Schwartz to Town Board -
Notification of "Final Certificate of Completion" regarding Walden Pond Park, Phase I. | <u>Supervisor</u> |
| 446. Town Attorney to County Dept. of Environ. Quality -
Transmittal of executed copies of lease for Highway Garage. | <u>R & F</u> |
| 447. Corres. Sec'y, Bowmansville Vol. Fire Assoc. to Town Board -
Recommendation of reinstated member to active roster. | <u>R & F</u> |
| 448. Leg. William Paxton to Town Board -
Notification of conference to be held 6/23/78 at Alden Town Hall in regards to traffic accidents on Broadway Avenue. | <u>R & F</u>
<u>Chief of Police</u> |
| 449. Town Clerk to Town Board -
Resume of actions taken in response to directions and resolutions of the Town Board meeting of 6/5/78. | <u>R & F</u> |
| 450. Youth Bureau to Supervisor -
Minutes for meeting held 5/18/78. | <u>R & F</u> |
| 451. County Dept. of Public Works to Supervisor -
Notification of possible seminar entitled "Traffic Improvements - Legal Aspects and Liability" if response indicates. | <u>R & F</u> |
| 452. Erie & Nia. Counties Reg. Planning Board to Supervisor -
Notification of conference to be held in Amherst on 6/21/78 regarding Airport Master Plan. | <u>R & F</u> |
| 453. Erie County Water Authority to Supervisor -
Notification of receipt of letter regarding Town's Water Distribution System and of response forthcoming. | <u>R & F</u> |

COMMUNICATIONS CONT'D.:

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| 454. Chief, Bowmansville Vol. Fire Assoc. to Supervisor -
Commendation of Mrs. Jean Schnorr in regards to fire on Pleasant View Drive. | R & F |
| 455. Sec'y, Ambulance Board to Town Clerk -
Recommendation of new member to LVAC. | R & F |
| 456. Town Attorney to Town Board -
Notification that permanent status has been given to Police Officers Ardino and Oleksy. | R & F
Supervisor |
| 457. Mr. and Mr. Pawlak to Town Clerk -
Expression of thanks and appreciation for removal of debris on property and for the cooperation and efficiency of Building Inspector regarding same. | R & F |
| 458. County Planning Board to Town Clerk -
Notification of recommendation of denial regarding J. Nicholas Mueller Rezone. | R & F |
| 459. Lancaster Depew Community Theatre to Town Board -
Facts regarding three community theatre groups. | R & F |
| 460. Highway Supt. to Town Clerk -
Transmittal of 1978 Summer Employment Applicants List. | R & F |
| 461. James W. Lorenzini to Town Board -
Complaint regarding movies shown at Wehrle Drive-In Theater. | R & F |
| 462. Sec'y, Independence Day Committee to Supervisor -
Confirmation regarding use of area in front of Town Hall and financial assistance for Annual July 4th Celebration. | R & F |
| 463. Town Engineer to Supervisor -
Notification of meeting to be held 6/26/78 in Tonawanda regarding Town Hall alterations. | R & F
Supervisor |
| 464. Senate Comm. on Housing and Community Devel. to Supervisor -
Notice of Public Hearing to be held 6/29/78 in Cheektowaga regarding "Saving Senior Housing: The Reverse Mortgage Concept." | R & F |
| 465. Mrs. Andrew Ginter to Supervisor -
Complaint regarding Wehrle Drive-in Theater. | R & F |
| 466. Francis C. Galas to Supervisor -
Request completion of road work between the old and new Bowen Road area. | Highway Supt.
Investigating Comm. |
| 467. Ex. Dir., Youth Bureau to Supervisor -
Request installation of phone to be used by Summer Youth Program Coordinator. | Councilman Metz |
| 468. Town Engineers to Town Board -
Recommendation of solution to problem of recurring flooding on Harris Hill Road. | Highway Supt. |

COMMUNICATIONS CONT'D.:

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DISPOSITION

469. Corres. Sec'y, Twin District Vol. Fire Co.
Inc. to Town Board -
Recommendation of new member to active roster.

R & F

470. In-Home Support Services Corp. of Wester New
York to Town Clerk -
News release regarding the Winterization and
Emergency Repair Assistance Program.

R & F

471. Assoc. of Towns of the State of New York to
Supervisor -
Request support for defeat of Assembly
Bills No. 8987 and No. 12945.

R & F

472. County Off. of Employment and Training Services
to Supervisor -
Notification of tentative approval for
funding under Title VI.

R & F

473. County Soil and Water Conservation District
to Supervisor -
Notification of public meeting to be held
7/12/78 in East Aurora regarding local
conservation.

R & F

Councilman Berent requested a suspension of the necessary rule for
immediate consideration of the following communications -
SUSPENSION GRANTED.

474. Recreation Director to Town Board -
Recommendations concerning signs and
alarm system at Meadow Lea and Town Park.

Chief of Police

475. Town Attorney to Town Board -
Notification of Town's legal perimeters
regarding complaints concerning Wehrle
Drive-In Theater.

R & F

ADJOURNMENT:

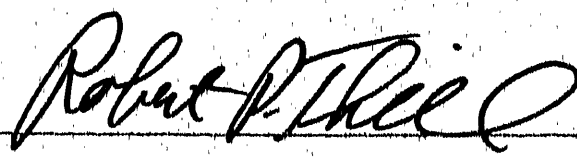
ON MOTION OF COUNCILMAN BERENT, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 10:50 P.M. out of respect to:

Joseph Schaefer

Robert Stutzman

Norman Horn

Signed



Robert P. Thill, Town Clerk